

September 23, 2010

MEMORANDUM TO: Cindy K. Bladey, Chief  
Rules, Announcements, and Directives Branch  
Division of Administrative Services  
Office of Administration

FROM: Gary C. Comfort, Sr. Project Manager /RA/  
Rulemaking Branch A  
Division of Intergovernmental Liaison and Rulemaking  
Office of Federal and State Materials  
and Environmental Management Programs

SUBJECT: REGULATORY HISTORY INDEX – PROPOSED RULE –  
DISTRIBUTION OF SOURCE MATERIAL TO EXEMPT  
PERSONS AND TO GENERAL LICENSEES AND REVISION  
OF GENERAL LICENSE AND EXEMPTIONS - 10 CFR  
PARTS 30, 40, 70, 170, and 171, RIN 3150-AH15

Enclosed is the regulatory history index of those documents of central relevance to the subject rulemaking. The ADAMS Accession Number is provided for each document or package. The rulemaking would amend Title 10 of the *Code of Federal Regulations* (CFR) Parts 30, 40, 70, 170, and 171. The proposed rule would amend the regulation to require that the initial distribution of source material to exempt persons or general licensees be explicitly authorized by a specific license. The proposed rule would also modify the existing general license in 10 CFR 40.22 and revise, clarify, or delete certain source material exemptions. The title of the proposed rule was "Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions " was published in the *Federal Register* on July 26, 2010 (75 FR 43425).

Enclosure:  
Regulatory History Index

CONTACT: Gary C. Comfort, FSME/DILR  
(301) 415-3781

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## REGULATORY HISTORY INDEX

PROPOSED RULE – DISTRIBUTION OF SOURCE MATERIAL TO EXEMPT PERSONS  
AND TO GENERAL LICENSEES AND REVISION OF GENERAL LICENSE AND EXEMPTIONS  
10 CFR PARTS 30, 40, 70, 170, and 171 (75 FR 43425), RIN 3150-AH15 [NRC-2009-0084]

Accession Number	Title/Description	Document Date	Author	Public Availability
ML993260113	SECY-99-259 - Exemption in 10 CFR PART 40 for Materials Less Than 0.05 Percent Source Material - Options and Other Issues Concerning The Control of Source Material.	11/01/1999	Travers W D	Publicly Available
ML012180300	Staff Requirements - SECY-99-259 - Exemption in 10 CFR PART 40 for Materials Less Than 0.05 Percent Source Material - Options and Other Issues Concerning The Control of Source Material.	03/09/2000	Vietti-Cook A L	Publicly Available
ML003781477	Office Review and Concurrence on Proposed Draft Rulemaking Plan for Distribution of Source Material to Exempt Persons and to General Licensees and Revision of Section 40.22 General License.	12/27/2000	Shelton B J	Publicly Available
ML010860466	SECY-01-0072 - Draft Rulemaking Plan: Distribution of Source Material to Exempt Persons and to General Licensees and Revision of 10 CFR 40.22 General License.	04/25/2001	Travers W D	Publicly Available
ML011980433	NUREG-1717, Systematic Radiological Assessment of Exemptions for Source and Byproduct Materials.	06/01/2001	Bland J S Bogard J S Cotter S J Hogan R Kerr G D Koeber D C Mattsen C R O'Donnell F R Schneider S Scofield P A Wiblin C	Publicly Available

ML021650518	SECY-02-0196 - Recommendations Stemming from the Systematic Assessment of Exemptions from Licensing in Parts 30 and 40; and a Rulemaking Plan for Risk-Informing Parts 30, 31, and 32.	11/01/2002	Travers W D	Publicly Available
ML040760929	SRM-SECY-01-0072 - "Draft Rulemaking Plan: Distribution of Source Material to Exempt Persons and to General Licensees and Revision of 10 CFR 40.22 General License."	06/05/2003	Travers W D	Non-Publicly Available
ML042150073	Ltr. to Mr. Gerry Manley from Gary Comfort re: general licensees operating under 10 CFR 40.22.	08/01/2004	Comfort G C	Publicly Available
ML041740732	08/03/04 - Update on Progress of Information Collection from Distributors of Source Material to Exempt Persons and General Licensees - Memo to the Commission from Reyes.	08/03/2004	Reyes L A	Non-Publicly Available
ML050810410	January 11, 2005 Cover Letter, from G. Manley (CERAC) to G. Comfort (NRC) Providing CERAC's Data on Distributions of Source Material to General Licensee's.	01/11/2005	Manley G E	Non-Publicly Available
ML053210057	G20050635/N200500102 - Comm. Memo re: Status of Information Collection From Distributors of Source Material to Exempt Persons and General Licensees.	12/05/2005	Reyes L A	Non-Publicly Available
ML052200199	SECY-06-0094 - Tracking or Providing Enhanced Controls For Category 3 Sources.	04/24/2006	Reyes L A	Publicly Available
ML061800229	SRM-SECY-06-0094 Tracking or Providing Enhanced Controls for Category 3 Sources.	06/09/2006	Vietti-Cook A L	Non-Publicly Available
ML070650466	Contractor Letter Report "Dose Assessment for Current and Projected Uses of Source Material Under a U.S. NRC General License and Exemption Criteria."	03/13/2007	Cunningham M A	Non-Publicly Available
ML072920231	SECY-07-0196 - Information About Products and Quantities of Source Material Distributed to and Used by Exempt Persons and 10 CFR 40.22 General Licensees.	11/06/2007	Reyes L A	Publicly Available

ML082470414	Resolution of A Petition For Rulemaking Submitted by the State of Colorado and the Organization of Agreement States (PRM 40-27).	06/30/2009	Shaffer M R	Publicly Available
ML092010087	Resolution of A Petition For Rulemaking Submitted by the State of Colorado and the Organization of Agreement States (EDO Pkg.)	08/14/2009	Borchardt R W	Publicly Available
ML092370115	08/25/09 - Commission Notification of Resolution and Closure of a Petition for Rulemaking Docket Signed by the Acting Executive Director for Operations.	08/25/2009	Borchardt R W	Non-Publicly Available
ML092360310	RCPD-09-011, Proposed Rule: Distribution of Source Material to Exempt Persons & to Gen Licensees & Revision of Gen License & Exemptions - Agreement State Memo - 10 CFR 40.22.	08/27/2009	Shaffer M R	Non-Publicly Available
ML092240136	Review and Concurrence: Proposed Rule: Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions.	09/03/2009	Shaffer M R	Non-Publicly Available
ML102650162	RCPD-09-011 Comment Responses.	10/06/2009	Shaffer M R	Publicly Available
ML092940504	SECY-09-0179 - Proposed Rule: Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions (RIN 3150-AH15).	12/10/2009	Borchardt R W	Publicly Available
ML101810062	Proposed Rule (ADM Package) - Implementation of June 16, 2010, SRM: Revisions to Parts 30, 40, 70, 170 and 171, Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions (RIN 3150-AH15).	07/02/2010	Danna J G	Publicly Available
ML102030538	Proposed Rule: Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions - [NRC-2009-0084], AH15 - Parts 30, 40, 70, 170, and 171.	07/21/2010	Comfort G C	Publicly Available

ML102070411	FSME-10-078 - Opportunity to Comment on Environmental Assessment and Proposed Rule to Amend 10 CFR Parts 30, 40, 70, 170 and 171 - Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions.	08/18/2010	Piccone J M	Publicly Available
ML102220103	FSME-10-080 - Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions (10 CFR Parts 30, 40, 70, 170 and 171).	8/19/2010	Piccone J M	Publicly Available